

## AMENDMENTS TO THE CLAIMS

The following is a complete listing of the pending claims.

1-9. (Cancelled)

10. (Currently amended) A method of producing a cotton plant that tolerates application of glyphosate herbicide comprising:

(a) sexually crossing a first glyphosate tolerant parent cotton plant according to any one of claims 21-23, that comprises SEQ ID NO:1, SEQ ID NO:2, and a DNA insert encoding EPSPS, with a second parent cotton plant that lacks the tolerance to glyphosate herbicide, thereby producing a plurality of first progeny plants;

(b) selecting a first progeny plant that is tolerant to glyphosate;

(c) selfing said first progeny plant, thereby producing a plurality of second progeny plants; and

(d) selecting from said second progeny plants a plant that is glyphosate tolerant [[:]]

~~wherein said DNA insert has 5' and 3' junctions with the cotton genomic DNA that are comprised of SEQ ID NO:1 and SEQ ID NO:2, respectively.~~

11. (Original) The method of claim 10 further comprising the step of backcrossing the first progeny plant that is tolerant to glyphosate or the second progeny plant that is glyphosate tolerant to the second parent plant or a third parent plant, thereby producing a plant that tolerates the application of glyphosate.

12-18. (Cancelled)

19. (Currently amended) A method for controlling weeds in a crop of glyphosate tolerant cotton plants according to ~~claim 22~~ any one of claims 21-23, comprising the step of applying an effective dose of a glyphosate-containing herbicide to said crop of cotton plants.

20. (Cancelled)

21. (Previously presented) A glyphosate tolerant transgenic cotton plant, cell, tissue, or DNA-containing part thereof, for which representative seeds have been deposited with the American Type Culture Collection under accession number PTA-4854.
22. (Currently amended) A glyphosate tolerant cotton plant, or DNA-containing part thereof, comprising incorporated into the plant's genome a DNA insert having two sequences each encoding EPSPS and DNA having nucleotide sequences of SEQ ID NO:1 and SEQ ID NO:2, wherein the sequence overlapping the junction between the cotton genomic DNA and the 5'-end of the insert is comprised of SEQ ID NO:1, and the sequence overlapping the junction between the cotton genomic DNA and the 3'-end of the insert is comprised of SEQ ID NO:2. ~~said DNA insert has 5' and 3' junctions with the cotton genomic DNA that are comprised of SEQ ID NO:1 and SEQ ID NO:2, respectively.~~
23. (Currently amended) The glyphosate tolerant cotton plant, or DNA-containing part thereof, of claim 22, ~~wherein DNA having nucleotide sequences of SEQ ID NO:3 and SEQ ID NO:4 form a part of the plant's genome,~~ wherein the sequence overlapping the junction between the cotton genomic DNA and the 5'-end of the insert is further comprised of SEQ ID NO:3, and the sequence overlapping the junction between the cotton genomic DNA and the 3'-end of the insert is further comprised of SEQ ID NO:4. ~~5' and 3' junctions of said DNA insert with the cotton genomic DNA are further comprised of SEQ ID NO:3 and SEQ ID NO:4, respectively.~~
24. (Previously presented) The glyphosate tolerant cotton plant, or DNA-containing part thereof, of claim 22, wherein the genomic DNA of said cotton plant, or part thereof, is capable of producing at least one amplicon comprising SEQ ID NO:1 or SEQ ID NO:2 diagnostic for the DNA insert using primers having the sequences of SEQ ID NO:21, SEQ ID NO:22 and SEQ ID NO:23 in a DNA amplification method.
25. (Previously presented) The glyphosate tolerant cotton plant, or DNA-containing part thereof, of claim 22, wherein said part thereof comprises pollen, ovules, flowers, bolls, shoots, roots, or leaves.

26. (Previously presented) The glyphosate tolerant cotton plant, or DNA-containing part thereof, of claim 22, wherein the cotton plant or part is heterozygous for the DNA insert.
27. (Previously presented) The glyphosate tolerant cotton plant, or DNA-containing part thereof, of claim 22, wherein the cotton plant or part is homozygous for the DNA insert.
- 28-32. (Cancelled)
33. (Previously presented) A transgenic seed of the plant of any one of claims 21-24 and 26-27.
34. (Previously presented) A method of producing a glyphosate tolerant cotton plant comprising:  
(a) crossing the plant of any one of claims 21-24 and 26-27 with another cotton plant; and  
(b) selecting glyphosate tolerant progeny by analyzing for the presence of at least one nucleotide sequence selected from the group consisting of SEQ ID NO:1-4.
- 35-37. (Cancelled)
38. (Previously presented) The method according to claim 10, wherein the second progeny plant is identifiable by the presence of a nucleotide sequence comprised of SEQ ID NO:1 or SEQ ID NO:2.
39. (New) A glyphosate tolerant transgenic cotton plant, cell, tissue, or DNA-containing part thereof, for which representative seeds have been deposited with the American Type Culture Collection under accession number PTA-4854, wherein said plant, cell, tissue, or DNA-containing part thereof is identifiable by the presence of a nucleotide sequence comprising SEQ ID NO:1 or SEQ ID NO:2.